



# **The Florida House of Representatives**

## **Office of Open Government**

**Jose Oliva**  
**Speaker**

October 14, 2019

USA Herald  
MuckRock News  
DEPT MR 80927  
411A Highland Ave  
Somerville, MA 02144-2516

Re: PRR #154 USA Herald (vaccines)  
Extensive Use Fee Estimate

Dear USA Herald:

On August 30, 2019, you submitted a request to the Florida House for the following records:

Any emails, texts, literature, or other forms of written communication to Legislators or their staff regarding the following:

"Senate Bill 64"  
"SB 64"  
"Vaccines"  
"Vaccinations"  
"Anti-vaccination"  
"Immunizations"  
"Immunization"  
"Conscience Coalition"

Please limit the search to communications received between 8/1/2019 and the present.

The House is the custodian of records that are stored on the House server. The House is not, however, the custodian of records maintained by individual House members. Therefore, requests for records maintained by a member, such as text messages, emails to or from personal email accounts, or paper records stored in a member's office, must be directed to the member.

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Each member and district office staff person has a House email account on the server. Those email accounts were searched for any email that contained one of the keywords listed in the request. The searches yielded approximately 3,977 emails that may be public records and may be responsive to the request.

*Extensive Use Fee*

Each email must be reviewed to determine if it is responsive to your request, if it is a "public record" as defined by s. 11.0431(4), F.S., and if it contains confidential or exempt information that must be redacted (many of these emails contain confidential personal medical information).

When processing a public records request requires an extensive use of House resources, a fee may be imposed to recover costs. An extensive use of House resources occurs when a request requires more than two hours of staff time to process the request, including redacting confidential or exempt information.

Processing the remainder of your request will require an extensive use of House resources. Enclosed for your review as Attachment A is an estimate of the total extensive use fee **(\$1,193.78)** for processing 3,977 emails. A credit for two hours of staff time has been deducted from the estimate. An initial payment equaling 75% of the estimated fee **(\$895.33)** must be received before we continue to process the request.

Please note that the actual fee may be more or less than the estimate, depending upon the actual amount of staff time required to produce the records. If additional payment is required to cover actual costs of review, the remaining balance must be received prior to delivery of the records. Funds received in excess of actual cost will be refunded. All payments should be made by check or money order payable to "The Florida Legislature" and mailed to the following address:

Florida House of Representatives  
Office of Open Government  
The Capitol, 402 South Monroe Street  
Tallahassee Florida 32399-1300

If we do not receive a response from you by November 1, 2019, we will assume that you do not wish to proceed and will close this matter without further communication.

If you have any questions or concerns, you may contact Fred Piccolo, the House Communications Director, at [Fred.Piccolo@myfloridahouse.gov](mailto:Fred.Piccolo@myfloridahouse.gov) or at 850.717.5000.

Kind regards,

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Enclosure

**Attachment A**  
**Extensive Use Fee Estimate**  
**PRR #154 USA Herald (vaccines)**

Records Requested: Any emails, texts, literature, or other forms of written communication to Legislators or their staff regarding the following: "Senate Bill 64"; "SB 64"; "Vaccines"; "Vaccinations"; "Anti-vaccination"; "Immunizations"; "Immunization"; "Conscience Coalition."  
 Dates: communications received between 8/1/2019 and the Present.

<b>EXTENSIVE USE FEE ESTIMATE</b> <b>PRR #154 USA Herald (vaccinations)</b> <b>September 3, 2019</b>			
	<b>Hourly Rate</b>	<b>Estimated Hours</b>	<b>Estimated Fee</b>
<b>Phase 1</b> <b>Office of Information Technology</b>	\$43.05	1	\$43.05
<b>Phase 2</b> <b>Office of Open Government</b>	\$63.72	13.25 <sup>1</sup>	\$844.29
<b>Phase 3</b> <b>Office of General Counsel</b>	\$43.65	9.94 <sup>2</sup>	\$433.88
<b>Two Hours Credit (\$63.72 x 2)</b>			<b>(\$127.44)</b>
<b>TOTAL ESTIMATED EXTENSIVE USE FEE</b> <b>(Total amount must be received before records are provided)</b>			<b>\$1,193.78</b>
<b>75% REQUIRED INITIAL PAYMENT</b> <b>(Phase 2 will not begin until initial payment is received)</b>			<b>\$895.33</b>

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1 A search of the House server yielded 3,977 emails that may be responsive to the request. We estimate that, during Phase 2, an average of 5 emails with attachments can be reviewed per minute, requiring a total of 13.25 hours to complete Phase 2 [(3,977/5)/60 minutes = 13.25 hours].

2 Phase 3 will take approximately 25% less time than Phase 2 [13.25 x .75=9.94].